

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA...

( Application to Proceed in forma Pauperis)

42 U.S.C. / Civil Rights Action

1 : CV00-1846

Jeffery Paul Moser,  
(Plaintiff)

Vs.

Kenneth D. Kyler ( Superintendent- Hunnington )  
 DR. Bardell (Medical Director- Hunnington)  
 Dr. Farrohk Mohaderin (Former Medical DIR.)  
 Diana Baney ( Assitant to Superintendent)  
 Carol Pollack (Wexford Inc. Adminstraitor)  
 DR. Scott Shumaker ( Medical Doctor)  
 MR. Erhard ( Dep. Sec. Dept of Correction (Pa.)  
 & Ten other Un-Named Defendants ...  
 Pat Yager (Health Admin.) ( Defendant(s)

New Doc. No. #

Refile Upon Exhaustion On Permission  
of U.S. Court of Appeals.

(U.S.APP. 00-3025)

(D.C.Civ. No. 99-Cv-0326)

Int. Fee's Paid CV-0326

U.S.App. Fee's Paid 00-3025

Forma Pauperis "Granted U.S.App.  
on Refile March 2000"...JURY TRIAL REQUESTED

New Matters Upon Exhaustion (REFILE) MEDICAL NEGLECT & A.D.A. VIOLATIOS, U.S. Constitutional  
 Violations of the 8th, 14th & 5th Amendments of the United States Const. & deals with  
 Disabilities Act./ Rahabilitation Act...

OCT 18 2000

## II. DECLARATION

I, (Jeffery Paul Moser), declare that I am  
 the plaintiff in the above-captioned 42 U.S.C. § 1983 civil rights action,  
 that I am entitled to proceed in forma pauperis pursuant to 28 U.S.C. § 1915  
 because of my inability to prepay the full \$150 fee to file this action or  
 give security therefor. I understand that the granting of in forma pauperis  
 status does not waive payment of the full filing fee.

In further support of this application, I provide the following information:

1. Do you presently have prison employment? yes ( ) no ( X )
2. If you are not employed do you have other income? yes ( ) no ( X )
3. If "yes" to either of above, state source of monthly income and amount.

source \_\_\_\_\_ amount \_\_\_\_\_

4. If "no," state date and place of last employment and amount of monthly income.

date and place Disabled (S.S.I. Applicant) \_\_\_\_\_ amount \_\_\_\_\_

5. Do you have money in a prison account? yes ( X ) no ( ) amount \$38.00

6. Do you have money in a bank account? yes ( ) no ( X ) amount \_\_\_\_\_

7. Do you own or have an interest in valuable property such an automobile  
real estate, stocks, or bonds? yes ( ) no ( X )

If "yes," describe property \_\_\_\_\_ value \_\_\_\_\_

8. List the persons who depend on you for support, state their relationship to you, and how much you contribute toward their support.

Jeffrey Murray & Joshua Murray (Moser)(N/Son's) - 0 -

9. State whether you have received within the past 12 months any money from any of the following sources:

- a. Business, profession or other form of self-employment yes ( ) no (X)  
 b. Rent payments, interest or dividends yes ( ) no (X)  
 c. Pensions, annuities or life insurance payments yes ( ) no (X)  
 d. Gifts or inheritances yes ( ) no (X)  
 e. Any other sources yes (X) no ( )

If the answer to any of the above is "yes," describe each source of money and state the amount received from each source during the past 12 months.

Religious Family and Friend Assit When able too ( Not Often Only SmallAmounts )

### III. DECLARATION AND SIGNATURE

I declare under penalty of perjury that the foregoing is true and correct.

9/22/00  
DATE

*Jeffrey Paul Moser*  
SIGNATURE OF PLAINTIFF  
(Jeffery Paul Moser )

### IV. CERTIFICATION

#### Instructions:

Request that an appropriate prison official provide: 1) the information below concerning your inmate trust fund account balances; and 2) a certified copy of your inmate trust fund account statement showing all deposits and withdrawals for the prior six-month period.

I certify that the applicant named herein has the sum of \$ 86.70 *pl* on account to his credit at the State Correctional Institution at Huntington institution where he is confined.

I further certify that during the last six months the applicant's average monthly account balance was \$ 16.99 *pl*; and that the average monthly deposits during the during the last six months were \$ 36.81 *pl*.

I further certify that the applicant has the following securities to his credit according to the records of said institution:

NONE

September 26, 2000  
DATE

*Charles E. Martin*  
SIGNATURE AND TITLE OF AUTHORIZED OFFICIAL  
Charles E. Martin, Business Manager III

PA DEPT. OF CORRECTIONS  
BUREAU OF COMPUTER SERVICES  
REMOTE PRINT TIME 8:35

INMATE ACCOUNTS SYSTEM  
PARTIAL ACCOUNT LISTING  
FROM PURGE FILE

RUN IAS365  
DATE 9/26/2000  
PAGE 1

INMATE NUMBER	NAME LAST	FIRST	MI	STARTING BALANCE
BE4713	MOSER	JEFFREY	P	21.53

BATCH #	DATE MO DY YEAR	TRANSACTION DESCRIPTION	AMOUNT	BALANCE AFTER TRANSACTION
7633	04-04-2000 13	PERSONAL GIFT FROM MURRAY / D 600884	15.00	36.53
7641	04-05-2000 36	PRINTED MATERIALS IGWF COPIES W/O 3/22-3/29	-.40	36.13
7646	04-06-2000 10	MAINTENANCE PAYROLL WAGES: 03/01-03/31/00	16.56	52.69
8098	04-07-2000 32	FRA COMMISSARY FOR 4/07/2000	-6.42	46.27
7648	04-07-2000 39	LEGAL FEES DIS COURT - CV00326 - MAR BAL	-10.08	36.19
7648	04-07-2000 39	LEGAL FEES DIS COURT - CV00326	-11.31	24.88
7654	04-11-2000 36	PRINTED MATERIALS IGWF COPIES W/O 3/27-/04/04/00	-.60	24.28
7648	04-07-2000 86	ADJUST PAYMENT		
	39	POSTED INCORRECT AMT	11.31	35.59
7648	04-07-2000 39	LEGAL FEES DIST CRT CV00326 CORRECTED AMT	-7.88	27.71
8104	04-13-2000 32	FRA COMMISSARY FOR 4/14/2000	-21.15	6.56
7670	04-14-2000 37	POSTAGE 04 APR 00 POSTAGE CHRGE	-2.98	3.58
7675	04-17-2000 36	PRINTED MATERIALS IGWF COPIES W/O 4/5-4/11/00	-1.30	2.28
7692	04-25-2000 36	PRINTED MATERIALS IFWF COPIES W/O 4/12-4/18	-1.90	.38
7720	05-04-2000 10	MAINTENANCE PAYROLL WAGES: 04/01 - 04/30/2000	14.78	15.16
7723	05-09-2000 39	LEGAL FEES CRT CSTS: CV 00326 20% APR	-6.31	8.85
8131	05-10-2000 32	FRA COMMISSARY FOR 5/10/2000	-5.82	3.03
7749	05-15-2000 13	PERSONAL GIFT FROM MURRAY / D 367472	30.00	33.03
7757	05-16-2000 14	MISCELLANEOUS REFUND INCORRECT POST CHGE	2.98	36.01
7757	05-16-2000 37	POSTAGE CORRECTED POST CHRGE 4/4/00	-1.73	34.28
7774	05-23-2000 37	POSTAGE 18 MAY 00 - POSTAGE CHRGE	-.99	33.29
8145	05-24-2000 32	FRA COMMISSARY FOR 5/24/2000	-26.44	6.85
7780	05-25-2000 36	PRINTED MATERIALS IGWF COPIES W/O 5/13-5/20	-3.60	3.25

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PAGE 2

INMATE	NAME		
NUMBER	LAST	FIRST	MI
BE4713	MOSER	JEFFREY	P

BATCH #	DATE MO DY YEAR	TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
7794	05-31-2000 37	POSTAGE		
		23 MAY 00 POSTAGE CHRGE	- .77	2.48
7805	06-05-2000 36	PRINTED MATERIALS		
		IGWF COPIES W/O 05/22-5/31/00	-1.60	.88
7808	06-01-2000 37	POSTAGE		
		02 JUN 99 POSTAGE	- .77	.11
7808	06-01-2000 37	POSTAGE		
		02 JUN 99 POSTAGE	- .77	- .66
7819	06-08-2000 10	MAINTENANCE PAYROLL		
		WAGES: 05/01/ - 05/31/2000	15.84	15.18
7823	06-09-2000 39	LEGAL FEES		
		COURT COSTS - 99 CV 00326	-8.96	6.22
7829	06-13-2000 37	POSTAGE		
		IGWF COPIES W/O 06/01-06/06/00	-8.70	-2.48
7851	06-20-2000 36	PRINTED MATERIALS		
		IGWF COPIES W/O 6/6-6/12/00	-1.00	-3.48
7857	06-22-2000 13	PERSONAL GIFT FROM		
		MURRAY / D 442662	25.00	21.52
7866	06-26-2000 37	POSTAGE		
		19 JUN 00 - POSTAGE CHRGE	-2.20	19.32
7866	06-26-2000 37	POSTAGE		
		20 JUN 00 - POSTAGE CHRGE	-4.65	14.67
7868	06-26-2000 36	PRINTED MATERIALS		
		IGWF COIES W/O 6/13-6/22	-3.80	10.87
8180	06-28-2000 32	FRA COMMISSARY		
		FOR 6/28/2000	-2.54	8.33
BALANCE AFTER THESE TRANSACTIONS----->				8.33



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INMATE NUMBER BE4713	NAME LAST MOSER	FIRST JEFFREY	MI P	STARTING BALANCE 8.33
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BATCH #	DATE MO DY YEAR		TRANSACTION DESCRIPTION	AMOUNT	BALANCE AFTER TRANSACTION
7890	07-07-2000	10	MAINTENANCE PAYROLL WAGES: 06/01 - 06/30/2000	15.84	24.17
7894	07-10-2000	39	LEGAL FEES DIST CRT - 99-CV-00326 20% JUN	-8.17	16.00
7906	07-11-2000	36	PRINTED MATERIALS IGWF COPIES W/O 6/23-7/5	-2.50	13.50
8194	07-12-2000	32	FRA COMMISSARY FOR 7/12/2000	-10.27	3.23
7920	07-18-2000	37	POSTAGE 13 JUL 00 / POSTAGE CHRGE	-.77	2.46
7939	07-25-2000	36	PRINTED MATERIALS IGWF COPIES W/O 7/10/-7/19	-4.20	-1.74
7956	08-01-2000	36	PRINTED MATERIALS IGWF COPIES W/E 07/20-7/26/00	-1.80	-3.54
7967	08-06-2000	10	MAINTENANCE PAYROLL WAGES: 07/01/00 - 07/31/00	14.40	10.86
7969	08-06-2000	39	LEGAL FEES DIS.CRT - 20% JUL -98CV-00326	-3.17	7.69
7974	08-08-2000	36	PRINTED MATERIALS IGWF COPIES W/O 7/26-8/1/00	-.80	6.89
8222	08-09-2000	32	FRA COMMISSARY FOR 8/09/2000	-3.82	3.07
1	08-17-2000	36	PRINTED MATERIALS IGWF COPIES W/O 08/01-8/11/00	-4.50	-1.43
0	08-21-2000	92	TRANSFER OUT FRACKVILLE		
0	08-21-2000	91	TRANSFER IN HUNTINGDON		
0	08-23-2000	92	TRANSFER OUT HUNTINGDON		
0	08-23-2000	91	TRANSFER IN FRACKVILLE		
10	08-23-2000	36	PRINTED MATERIALS IGWF COPIES 08/12 - 08/18	-1.30	-2.73
0	08-23-2000	92	TRANSFER OUT FRACKVILLE		
0	08-23-2000	91	TRANSFER IN HUNTINGDON		
2405	08-25-2000	38	INSIDE PURCHASES SHOE SHOP - AUGUST 24, 2000	-3.25	-5.98
2498	09-11-2000	13	PERSONAL GIFT FROM MURRAY, ANN (251637)	15.00	9.02
2511	09-13-2000	37	POSTAGE LEGAL - SEPTEMBER 12, 2000	-.55	8.47

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INMATE NAME  
NUMBER LAST FIRST MI  
BE4713 MOSER JEFFREY P

BATCH #	DATE MO DY YEAR	TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	BALANCE AFTER TRANSACTION
8257	09-13-2000 32	HUN COMMISSARY FOR 9/13/2000	-6.03	2.44
2525	09-14-2000 41	MEDICAL		
		MEDICAL CO-PAY SEPT. 12, 2000	-2.00	.44
2531	09-15-2000 10	MAINTENANCE PAYROLL AUGUST, 2000	8.64	9.08
8264	09-20-2000 32	HUN COMMISSARY FOR 9/20/2000	-5.90	3.18
2575	09-20-2000 39	LEGAL FEES		
		MIDDLE DISTRICT 99-0326	-2.88	.30
2582	09-21-2000 13	PERSONAL GIFT FROM MURRAY, ANN (262040)	40.00	40.30
2595	09-25-2000 13	PERSONAL GIFT FROM WILLIAMS, CATHI (011706)	50.00	90.30
2597	09-25-2000 38	INSIDE PURCHASES		
		XEROX COPIES WK ENDING 9-16-00	-3.60	86.70
		BALANCE AFTER THESE TRANSACTIONS----->		86.70

10/6/00

099 Balance